

Executive Summary – Enforcement Matter – Case No. 48137
SHINTECH INCORPORATED
RN100213198
Docket No. 2014-0089-PWS-E

Order Type:

Findings Agreed Order

Findings Order Justification:

Three or more enforcement actions (NOVs, orders, etc.) over the prior five year period for the same violation(s).

Media:

PWS

Small Business:

No

Location(s) Where Violation(s) Occurred:

Shintech Freeport Plant, 5618 East Highway 332, Brazoria County

Type of Operation:

Public water supply

Other Significant Matters:

Additional Pending Enforcement Actions: Yes, Docket Nos.: 2013-2154-AIR-E and 2014-0299-AIR-E

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: April 11, 2014

Comments Received: No

Penalty Information

Total Penalty Assessed: \$253

Amount Deferred for Expedited Settlement: \$0

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$253

Total Due to General Revenue: \$0

Payment Plan: N/A

SEP Conditional Offset: \$0

Name of SEP: N/A

Compliance History Classifications:

Person/CN - High

Site/RN - High

Major Source: No

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: September 2011

**Executive Summary – Enforcement Matter – Case No. 48137
SHINTECH INCORPORATED
RN100213198
Docket No. 2014-0089-PWS-E**

Investigation Information

Complaint Date(s): N/A
Complaint Information: N/A
Date(s) of Investigation: October 14, 2013
Date(s) of NOE(s): January 10, 2014

Violation Information

Failed to comply with the maximum contaminant level ("MCL") of 0.080 milligrams per liter for Total Trihalomethanes ("TTHM") based on the running annual average [30 TEX. ADMIN. CODE § 290.113(f)(4) and TEX. HEALTH & SAFETY CODE § 341.0315(c)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent transitioned from Stage 1 Disinfectant Byproduct monitoring to Stage 2 Disinfectant Byproduct monitoring on October 1, 2013.

Technical Requirements:

The Order will require the Respondent to:

- a. Within 365 days:
 - i. Return to compliance with the running annual average MCL for TTHM; or
 - ii. Return to compliance with the locational running annual average MCL for TTHM.
- b. Within 380 days, submit written certification to demonstrate compliance with Ordering Provisions a.i. or a.ii.

Litigation Information

Date Petition(s) Filed: N/A
Date Answer(s) Filed: N/A
SOAH Referral Date: N/A
Hearing Date(s): N/A
Settlement Date: N/A

Executive Summary – Enforcement Matter – Case No. 48137
SHINTECH INCORPORATED
RN100213198
Docket No. 2014-0089-PWS-E

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Allyson Plantz, Enforcement Division,
Enforcement Team 7, MC 128, (512) 239-4593; Candy Garrett, Enforcement Division,
MC 219, (512) 239-1456

TCEQ SEP Coordinator: N/A

Respondent: John Timothy O'Brien, Plant Manager, SHINTECH INCORPORATED,
5618 Highway 332 East, Freeport, Texas 77541
Yasuhiko Saitoh, President, SHINTECH INCORPORATED, 3 Greenway Plaza, Suite
1150, Houston, Texas 77046

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 3 (September 2011)

PCW Revision August 3, 2011

TCEQ

DATES	Assigned	13-Jan-2014	Screening	13-Jan-2014	EPA Due	31-Dec-2013
	PCW	30-Jan-2014				

RESPONDENT/FACILITY INFORMATION

Respondent	SHINTECH INCORPORATED		
Reg. Ent. Ref. No.	RN100213198		
Facility/Site Region	12-Houston	Major/Minor Source	Minor

CASE INFORMATION

Enf./Case ID No.	48137	No. of Violations	1
Docket No.	2014-0089-PWS-E	Order Type	Findings
Media Program(s)	Public Water Supply	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Allyson Plantz
		EC's Team	Enforcement Team 7
Admin. Penalty \$ Limit Minimum	\$50	Maximum	\$1,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1** **\$150**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History **69.0%** Enhancement **Subtotals 2, 3, & 7** **\$103**

Notes: Enhancement for three NOVs with same violations, four NOVs with dissimilar violations and three agreed orders with denial. Reduction for high performer classification, two NOIs and one DOV.

Culpability **No** **0.0%** Enhancement **Subtotal 4** **\$0**

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments **Subtotal 5** **\$0**

Economic Benefit **0.0%** Enhancement* **Subtotal 6** **\$0**

Total EB Amounts: \$800
Approx. Cost of Compliance: \$5,000
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 **Final Subtotal** **\$253**

OTHER FACTORS AS JUSTICE MAY REQUIRE **0.0%** **Adjustment** **\$0**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount **\$253**

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty** **\$253**

DEFERRAL **0.0%** Reduction **Adjustment** **\$0**

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes:

No deferral is recommended for Findings Orders.

PAYABLE PENALTY **\$253**

Screening Date 13-Jan-2014

Docket No. 2014-0089-PWS-E

PCW

Respondent SHINTECH INCORPORATED

Policy Revision 3 (September 2011)

Case ID No. 48137

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN100213198

Media [Statute] Public Water Supply

Enf. Coordinator Allyson Plantz

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	3	15%
	Other written NOVs	4	8%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	3	60%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgements or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	2	-2%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	1	-2%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 79%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

High Performer

Adjustment Percentage (Subtotal 7) -10%

>> Compliance History Summary

Compliance History Notes

Enhancement for three NOVs with same violations, four NOVs with dissimilar violations and three agreed orders with denial. Reduction for high performer classification, two NOIs and one DOV.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 69%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 69%

Screening Date 13-Jan-2014

Docket No. 2014-0089-PWS-E

PCW

Respondent SHINTECH INCORPORATED

Policy Revision 3 (September 2011)

Case ID No. 48137

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN100213198

Media [Statute] Public Water Supply

Enf. Coordinator Allyson Plantz

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 290.113(f)(4) and Tex. Health & Safety Code § 341.0315(c)

Violation Description Failed to comply with the maximum contaminant level ("MCL") of 0.080 milligrams per liter ("mg/L") for total trihalomethanes ("TTHM"), based on the running annual average ("RAA"). Specifically, the RAA concentrations of TTHM for the first, second and third quarters of 2013 were 0.089 mg/L, 0.090 mg/L and 0.098 mg/L, respectively.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual		x	
Potential			

Percent 15.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes Exceeding the MCL for TTHM caused the persons served by the Facility to be exposed to significant amounts of contaminants which do not exceed levels that are protective of human health.

Adjustment \$850

\$150

Violation Events

Number of Violation Events 1

273 Number of violation days

mark only one with an x	daily	
	weekly	
	monthly	
	quarterly	
	semiannual	
	annual	x
	single event	

Violation Base Penalty \$150

One annual event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

	Before NOV		NOV to EDPRP/Settlement Offer
	Extraordinary	Ordinary	
N/A	x		(mark with x)

Notes The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$150

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$800

Violation Final Penalty Total \$254

This violation Final Assessed Penalty (adjusted for limits) \$254

Economic Benefit Worksheet

Respondent SHINTECH INCORPORATED
Case ID No. 48137
Reg. Ent. Reference No. RN100213198
Media Public Water Supply
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$5,000	31-Mar-2013	13-Jul-2015	2.28	\$38	\$762	\$800
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the estimated amount necessary to implement an alternative method of disinfection, calculated from the last day of the first quarter of noncompliance to the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

TOTAL

\$800



TCEQ Compliance History Report

PUBLISHED Compliance History Report for CN600128425, RN100213198, Rating Year 2013 which includes Compliance History (CH) components from September 1, 2008, through August 31, 2013.

Customer, Respondent, or Owner/Operator: CN600128425, SHINTECH INCORPORATED **Classification:** HIGH **Rating:** 0.00

Regulated Entity: RN100213198, SHINTECH FREEPORT PLANT **Classification:** HIGH **Rating:** 0.00

Complexity Points: 29 **Repeat Violator:** NO

CH Group: 05 - Chemical Manufacturing

Location: 5618 E HIGHWAY 332, BRAZORIA COUNTY, TEXAS

TCEQ Region: REGION 12 - HOUSTON

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER BL0051F
AIR OPERATING PERMITS PERMIT 1361

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION

AIR NEW SOURCE PERMITS PERMIT 36277

AIR NEW SOURCE PERMITS PERMIT 9347

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX285M5

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX285M3

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX285M1

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX285

AIR NEW SOURCE PERMITS AFS NUM 4803900012

WASTEWATER PERMIT WQ0004818000

INDUSTRIAL AND HAZARDOUS WASTE EPA ID

TXD065095390

INDUSTRIAL AND HAZARDOUS WASTE OTS REQUEST
36147

AIR OPERATING PERMITS PERMIT 1361

POLLUTION PREVENTION PLANNING ID NUMBER
P00625

AIR NEW SOURCE PERMITS PERMIT 682E 0200598

AIR NEW SOURCE PERMITS ACCOUNT NUMBER BL0051F

AIR NEW SOURCE PERMITS PERMIT 8299

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX285M2

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX285M4

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX671

AIR NEW SOURCE PERMITS REGISTRATION 112757

WASTEWATER EPA ID TX0053813

AIR EMISSIONS INVENTORY ACCOUNT NUMBER BL0051F

INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE

REGISTRATION # (SWR) 31121

PETROLEUM STORAGE TANK REGISTRATION
REGISTRATION 85044

Compliance History Period: September 01, 2008 to August 31, 2013 **Rating Year:** 2013 **Rating Date:** 09/01/2013

Date Compliance History Report Prepared: January 13, 2014

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: January 13, 2009 to January 13, 2014

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Allyson Plantz

Phone: (512) 239-4593

Site and Owner/Operator History:

- 1) Has the site been in existence and/or operation for the full five year compliance period? YES
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO
- 3) If YES for #2, who is the current owner/operator? N/A
- 4) If YES for #2, who was/were the prior owner(s)/operator(s)? N/A
- 5) If YES, when did the change(s) in owner or operator occur? N/A

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

- | | | |
|---|----------------------------|--|
| 1 | Effective Date: 08/31/2009 | ADMINORDER 2009-0402-AIR-E (1660 Order-Agreed Order With Denial) |
| | Classification: Moderate | |

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)

30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)

Rqmt Prov:O-01361 General Terms and Conditions OP

Description: Failed to submit accurate information detailing the units, all instances of the deviations including the cause and corrective actions or preventative measures addressed in the permit. (Category A9c Violation)

2 Effective Date: 01/28/2010 ADMINORDER 2009-1133-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.144(3)(F)
5C THSC Chapter 382 382.085(b)

Description: Failed to continuously monitor and record the condenser vapor outlet temperature of steam stripper equipment, as documented during a record review conducted on April 28, 2009. Specifically, condenser vapor outlet temperature for units PL1WWSTRIP, PL2WWSTRIP, and PL3WWSTRIP was not monitored from November 25, 2007 through May 24, 2008.

3 Effective Date: 10/18/2013 ADMINORDER 2013-0470-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Major

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.0518(a)
5C THSC Chapter 382 382.085(b)

Rqmt Prov:General Terms & Conditions OP

Description: Failed to obtain authorization to construct and operate a source of air emissions. Specifically, the Respondent failed to obtain authorization to operate polyvinyl chloride resin heels storage tank T-3510.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):

Item 1	July 23, 2010	(1064110)
Item 2	September 09, 2010	(829547)
Item 3	December 13, 2010	(1064119)
Item 4	February 01, 2011	(878159)
Item 5	March 30, 2011	(859965)
Item 6	May 20, 2011	(1064105)
Item 7	June 20, 2011	(1064107)
Item 8	July 19, 2011	(1064109)
Item 9	August 17, 2011	(1064111)
Item 10	September 19, 2011	(1064113)
Item 11	October 14, 2011	(1064115)
Item 12	February 15, 2012	(1064100)
Item 13	April 23, 2012	(1064104)
Item 14	May 21, 2012	(1064106)
Item 15	June 21, 2012	(1064108)
Item 16	October 22, 2012	(1064116)
Item 17	December 21, 2012	(1064121)
Item 18	January 22, 2013	(1080336)
Item 19	January 28, 2013	(1055241)
Item 20	February 19, 2013	(1080335)
Item 21	March 18, 2013	(1089960)
Item 22	April 22, 2013	(1096349)
Item 23	May 20, 2013	(1107299)
Item 24	June 14, 2013	(1110961)
Item 25	July 19, 2013	(1117833)
Item 26	August 20, 2013	(1125620)
Item 27	September 18, 2013	(1130185)

Item 28	October 18, 2013	(1135944)
Item 29	November 21, 2013	(1141333)
Item 30	December 04, 2013	(1124683)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

1	Date:	02/28/2013	(1029215)	CN600128425
	Self Report?	NO		Classification: Minor
	Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.145(2)(B) 5C THSC Chapter 382 382.085(b) General Terms & Conditions OP		
	Description:	Failure to report deviations within the required timeframe. (Category C.3)		
	Self Report?	NO		Classification: Moderate
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THSC Chapter 382 382.085(b) Special Condition 24 F PERMIT		
	Description:	Failure to perform annual compliance testing. (Category B.1)		
	Self Report?	NO		Classification: Minor
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 11 F PERMIT Special Terms & Conditions 10 OP		
	Description:	Failure to complete semi-annual fugitive emissions monitoring. (Category C.1)		
	Self Report?	NO		Classification: Moderate
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 29 PERMIT Special Terms & Conditions 10 OP		
	Description:	Failure to maintain records of maintenance, startup, and shutdown (MSS) activities. (Category C.3)		
	Self Report?	NO		Classification: Minor
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 18 PERMIT Special Terms & Conditions 10 OP		
	Description:	Failure to calibrate absorber flow monitoring devices on an annual basis. (Category C.1)		
	Self Report?	NO		Classification: Moderate
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 1 PERMIT Special Terms & Conditions 10 OP		
	Description:	Failure to limit particulate matter (PM) emissions rate to permitted limits. (Category B.13)		
	Self Report?	NO		Classification: Minor
	Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Terms & Conditions 3 OP		
	Description:	Failure to perform visible emissions observations. (Category C1)		
	Self Report?	NO		Classification: Minor
	Citation:	30 TAC Chapter 115, SubChapter B 115.144(3)(F) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Terms & Conditions 5 OP		
	Description:	Failure to monitor and record operating parameters of wastewater treatment system. (Category C1)		
	Self Report?	NO		Classification: Moderate
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition (SC) 18 PERMIT Special Terms & Conditions (ST&C) 10 OP		
	Description:	Failure to maintain minimum solution flow rate in scrubber. (Category B.13)		

2	Date: 03/19/2013 (1054048)		
	Self Report? NO	Classification: Moderate	
	Citation: 30 TAC Chapter 116, SubChapter B 116.115(c) 5C THSC Chapter 382 382.085(b) Special Condition #1 PERMIT		
	Description: Failure to prevent unauthorized emissions due to plugging of one double damper.		
	Self Report? NO	Classification: Moderate	
	Citation: 30 TAC Chapter 101, SubChapter F 101.201(c) 5C THSC Chapter 382 382.085(b)		
	Description: Failure to submit the final report.		
3	Date: 05/03/2013 (1074588)	CN600128425	
	Self Report? NO	Classification: Moderate	
	Citation: 30 TAC Chapter 116, SubChapter B 116.115(c) 5C THSC Chapter 382 382.085(b) Special Condition No. 1 PERMIT		
	Description: Failure to prevent unauthorized emissions. Shintech failed to securely fasten the bolts holding the rupture disc on Tank TK-3251F.		
4	Date: 06/04/2013 (1139369)	CN600128425	
	Self Report? NO	Classification: Moderate	
	Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)		
	Description: TTHM MCL 2Q2013 - The system violated the maximum contaminant level for trihalomethanes during the 2nd quarter of 2013 with a RAA of 0.090 mg/L.		
5	Date: 06/25/2013 (1139369)	CN600128425	
	Self Report? NO	Classification: Moderate	
	Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)		
	Description: TTHM MCL 1Q2013 - The system violated the maximum contaminant level for trihalomethanes during the 1st quarter of 2013 with a RAA of 0.089 mg/L.		
6	Date: 10/07/2013 (1139369)	CN600128425	
	Self Report? NO	Classification: Moderate	
	Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)		
	Description: TTHM MCL 3Q2013 - The system violated the maximum contaminant level for trihalomethanes during the 3rd quarter of 2013 with a RAA of 0.098 mg/L.		
7	Date: 11/22/2013 (1115982)	CN600128425	
	Self Report? NO	Classification: Moderate	
	Citation: 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 1 PERMIT Special Terms and Conditions 10 OP		
	Description: Failure to limit particulate matter (PM) emissions rate to permitted limits. (Category B13)		
	Self Report? NO	Classification: Moderate	
	Citation: General Terms and Conditions OP		
	Description: Failure to report all instances of deviations within the required timeframe. (Category B3)		
	Self Report? NO	Classification: Moderate	
	Citation: 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Part 61, Subpart F 61.65(b)(8)(i) 5C THSC Chapter 382 382.085(b) Special Term and Condition 1A OP		
	Description: Failure to maintain an up-to-date area wide monitoring plan. (Category B3)		
	Self Report? NO	Classification: Moderate	
	Citation: 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-7(g)(2) 5C THSC Chapter 382 382.085(b) Special Terms and Conditions 1A OP		
	Description: The owner or operator failed to have an unsafe-to-monitor written plan for Plant 1. (Category B3)		
	Self Report? NO	Classification: Moderate	
	Citation: 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-7(h)(3) 5C THSC Chapter 382 382.085(b) Special Terms and Conditions 1A OP		
	Description: The owner or operator failed to have a written difficult-to-monitor plan for Plant		

1. (Category B3)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT F 61.71(a)(2)

5C THSC Chapter 382 382.085(b)

Special Terms and Conditions 1A OP

Description: Failure to record the time when the leak was detected. (Category C1)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Special Condition 26E PERMIT

Special Terms and Conditions 10 OP

Description: Failure to reduce emissions data to three-hour average concentrations. (Category B1)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Special Condition 9 PERMIT

Special Terms and Conditions 10 OP

Description: Failure to maintain hourly fuel usage records for boiler UN3701A, 3701B, and 3701C. (Category B3)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Special Condition 21 PERMIT

Special Terms and Conditions 10 OP

Description: Failure to collect the required residual vinyl chloride monomer (RVCM) samples. (Category C1)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT F 61.70(c)(2)(v)

5C THSC Chapter 382 382.085(b)

Special Terms and Conditions 1A OP

Description: Failure to calculate and maintain 24-hour weighted average residual vinyl chloride monomer (RVCM) concentrations. (Category B1)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Special Condition 1 PERMIT

Special Terms and Conditions 10 OP

Description: Failure to provide emission limits for chlorine for Plant 2 incinerators UN2703A and UN2703B in the NSR permit maximum allowable emission rates (MAER). (Category B13)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Special Condition 21 PERMIT

Special Terms and Conditions 10 OP

Description: Failure to collect residual vinyl chloride monomer (RVCM) sample for stripper CL-2451C. (Category C1)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Special Condition 26 PERMIT

Special Terms and Conditions 10 OP

Description: Failure to continuously monitor the vinyl chloride system. (Category C3)

F. Environmental audits:

Notice of Intent Date: 11/03/2010 (879176)

No DOV Associated

Notice of Intent Date: 07/13/2012 (1020731)

Disclosure Date: 12/21/2012

Viol. Classification: Moderate
Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.245
Rqmt Prov: PERMIT 9347, SC 24F

Description: Failed to appropriately calibrate the LSDAR monitoring instruments. The facility calibrates its MicroFID LDAR monitoring instruments using a calibration gas that consists of a mixture of vinyl chloride in air at an approximate concentration of 500 ppm.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failed to have facility calibrate its MicroFID LDAR and monitoring instruments using a calibration gas that is less than the 10,000-ppm leak definition specified in U.S. EPA Method 21, as referenced by NESHAPs Subpart V in 40 CFR 61.245(b)(3).

Viol. Classification: Moderate
Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT F 61.68

Description: Failed to have the facility calibrate its MiniRAE 3000 instruments, utilized as part of the sitewide vinyl chloride monitoring system, using isobutylene rather than vinyl chloride, as prescribed by Method 106, as prescribed by NESHAP Subpart F.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failed to have LDAR monitoring records for 1Q2011 indicate that the facility monitored more valves (and flanges, which were set equal to twice the number of valves) in each of the PVC production plants than it had represented in its most recent TCEQ air permit application. These amounts were: Plant #1- Monitored 4,010 valves versus 3,786 represented. Plant #2-Monitored 5,486 valves versus 5,307 represented. Plant #3- Monitored 3,579 valves versus 3,263 represented.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failed to have LDAR monitoring records for 1Q2011 not include results for connector monitoring. Operators stated that they monitor the flanges associated with each flanged valve, but no results were documented. There were no stand-alone connectors included in the fugitive component records.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failure to have blind flanges downstream of three valves identified in the LDAR program were not completely closed (i.e., two of four bolts were in place, and the flange and gasket were not closed).

Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failure to have the facility monitors pumps in non-VCM service on the same semi-annual skip period frequency as valves rather than at least quarterly.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failure to have Plant #1, each of the six reactors have a pressure relief valve that relieves to an inhibitor tank, causing it to flow into the reactor by gravity. Because the set point of the reactor of the reactor PRV, which vents directly to the atmosphere, is the same as the Inhibitor tank, it is unclear whether the tank PRB requires a rupture disk.

Viol. Classification: Major
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failure to have TK 2132 and is not permitted in the 2007 permit amendment application but it is still being used.

Viol. Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failure to have the facility could not locate authorization for part cleaners, welding and grinding emissions at the maintenance shop.

Viol. Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failed to have GHG Monitoring Plan not complete

Viol. Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.310

Description: Failed to have Nitrogen Oxides Compliance Plan Unavailable.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failure to have information on Internal Combustion (IC) Engines brought on site during maintenance activities is recorded on Logistics Diagram. The compliance record does not capture the usage hours and rating of engines and the emissions from IC engines used during MSS were not estimated and, therefore, not included in the rolling 12-month emission records.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failed to have the dryer startup emissions not being estimated, recorded and incorporated in the rolling 12-month emissions. There is no environmental impact because routine emissions from dryers were permitted at 8,760 tpy and the allowable hourly emissions rate for routine emission is higher than the MSS

emission rate. In the permit application specific to MSS in 2007, however, MSS emissions of dryers were specified but not properly incorporated into the Maximum Allowable Emission Rate Table (

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failed to have painting as part of maintenance activities at Shintech. Currently, hourly emissions from painting activities are not being estimated. Short term emissions are not speciated for the chemicals present in the paint used. Quality of thinner used is recorded but no emissions are estimated and therefore not included in the Annual Emissions Inventory.

Viol. Classification: Major

Citation: 30 TAC Chapter 116, SubChapter B 116.110

Description: Failed to have permit application submitted in 2007, an MSS EPN was requested for Sand Blasting. However, the permit issued by TCEQ in 2008 did not authorize an EPN for this activity. Shintech continues to operate this activity without an authorization. In addition, sand blasting emissions have not been quantified and reported in the most recent EIQ.

Viol. Classification: Minor

Citation: 40 CFR Chapter 372, SubChapter J, PT 372, SubPT A 372.10

Description: Failed to have sufficient supporting documentation not available on file to verify the chemical classification into "manufactured", "processed" and "other chemicals" categories for historic TRI reporting.

Viol. Classification: Minor

Citation: 40 CFR Chapter 372, SubChapter J, PT 372, SubPT A 372.10

Description: Failed to have previous TRI reports found to have calculation errors in the Threshold Quantity.

Viol. Classification: Minor

Citation: 40 CFR Chapter 372, SubChapter J, PT 372, SubPT A 372.10

Description: Failed to have previous TRI reports were found to not have documented the release quantities necessary to justify the use of Form A.

Viol. Classification: Minor

Citation: 40 CFR Chapter 372, SubChapter J, PT 372, SubPT B 372.30

Description: Failed to have data from 2009 and 2010 TRI reporting for K-Bin was improperly reported separately from Shintech.

Viol. Classification: Minor

Citation: 40 CFR Chapter 112, SubChapter D, PT 112 112.7(a)(4)

Description: Failed to have SPCC plan did not have facility address and phone number readily available for reference.

Viol. Classification: Minor

Citation: 40 CFR Chapter 112, SubChapter D, PT 112 112.7(f)(1)

Description: Failed to have plant personnel not appear to be familiar with spill response equipment, or equipment is not where it is supposed to be.

Viol. Classification: Minor

Citation: 40 CFR Chapter 110, SubChapter D, PT 110 112.7(e)

Description: Failed to have items incorrectly reported as acceptable during SPCC inspections.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 112, SubChapter D, PT 112 112.7(c)

Description: Failed to have a hole cut in the wall of TK-607 containment.

Viol. Classification: Moderate

Citation: 40 THSC Chapter 262, SubChapter A 262.001

Description: Failure of Shintech to have exceeded Conditionally Exempt Small Quantity Generator (CESQG) status without full compliance of all applicable regulations.

Viol. Classification: Minor

Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.32(a)

Description: Failed to have Lab Pack wasted not labeled as Hazardous Waste in storage, does not have waste codes.

Viol. Classification: Minor

Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(c)(1)(ii)

Description: Failed to have satellite storage container not labeled as Hazardous Waste.

Viol. Classification: Minor

Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(c)(1)(ii)

Description: Failed to have waste storage area in laboratory not labeled.

Viol. Classification: Minor

Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(c)(1)(ii)

Description: Failed to have satellite storage areas not labeled.

Viol. Classification: Minor

Citation: 40 CFR Chapter 279, SubChapter I, PT 279, SubPT C 279.22(d)

Description: Failed to have oil drum and absorbent drums identified outside of a containment area.

Viol. Classification: Minor

Citation: 40 CFR Chapter 265, SubChapter I, PT 265, SubPT I 265.173(a)

Description: Failed to have used oil and antifreeze containers in oil storage areas that were not sealed.

Viol. Classification: Minor

Citation: 40 CFR Chapter 265, SubChapter I, PT 265, SubPT I 265.173(a)

Description: Failed to have an unmarked open bucket of oily-looking material attached to a sonic washer and was observed in the I&E building.
Viol. Classification: Minor
Citation: 40 CFR Chapter 265, SubChapter I, PT 265, SubPT I 265.173(a)

Description: Failed to have unmarked, unclassified drums in poor condition that were stored in Plant 2 chemical storage area.
Viol. Classification: Minor
Citation: 30 TAC Chapter 335, SubChapter R 335.508(2)

Description: Failed to have aerosol cans (punctured) were found in the plant trash.
Viol. Classification: Moderate
Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(c)(1)(ii)

Description: Failed to have chromate water from spill stored in totes outside in Plant 1 area. Water is hazardous if disposed.
Viol. Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failed to have ZR-19 not listed in the TSCA Inventory based on CAS registry number. Need to confirm a PMN has been submitted for this material.
Viol. Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failed no historical TSCA Inventory Use Report (IUR) or current TSCA Chemical Data Report (CDR), or procedures identified to ensure when they are necessary.
Viol. Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failure to have needs to have procedures to process TSCA Section 8(a) substantial risk information.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failed to have secondary containment berms in Unit 2 near TK2354 and near PU23958 were incomplete (missing concrete sections). The process sump inside the secondary containment near TK 2354 was overflowing, escaping the containment area, and flowing into the storm sewer outfall. A thin, white, milky layer (sheen) was briefly observed on the surface of the water.
Viol. Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failure to file copy of the Discharge Monitoring Report (DMR) from March 2012 is missing the first page of the report.
Viol. Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failure to have contact information was not up to date.
Viol. Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)

Description: Failure to have facility lacked data prior to 2007.
Viol. Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.46(i)

Description: Failed to have no lead or copper sampling data from prior to 2007.
Viol. Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.46(n)

Description: Failed to have no record of drawings for the treatment system.
Viol. Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.46(i)

Description: Failed to have no procedures identified to ensure that low-lead or lead-free materials were used in repairs.
Viol. Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.46(g)

Description: Failed there was no procedures identified to ensure the public water system is disinfected and sampled after repairs
Viol. Classification: Minor
Citation: 40 CFR Chapter 68, SubChapter C, PT 68, SubPT G 68.160

Description: Failure of RMP not identify the Dun and Bradstreet numbers (DUNS) for the facility and parent company.
Viol. Classification: Minor
Citation: 40 CFR Chapter 68, SubChapter C, PT 68, SubPT G 68.160

Description: Failed to have RMP identified the Brazoria County LEPC, at (979) 233-7861, as the local agency through which it's emergency response plan is implemented. The Emergency Response Plan, however, listed Brazoria County Emergency Management, at (979) 864-1801, as the applicable local agency.
Viol. Classification: Minor
Citation: 40 CFR Chapter 68, SubChapter C, PT 68, SubPT G 68.180(c)

Description: Failed to have RMP incorrectly identified the site as not being subject to federal RCRA regulations or State Emergency Planning and Community Right to Know (EPCRA) rules.
Viol. Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Description: Failed to have permit 682E indicate stack tests were completed for CM3131 and BL6155 but the records could not be located.
Viol. Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Description: Failure to have visible emissions testing at the K-Bin Plant had insufficient documentation to confirm that daily testing is being done.
Viol. Classification: Minor
Citation: 40 CFR Chapter 372, SubChapter J, PT 372, SubPT A 372.10
Description: Failure to have previous TRI reports were found to have calculation errors in the Threshold Quantity.
Viol. Classification: Minor
Citation: 40 CFR Chapter 372, SubChapter J, PT 372, SubPT A 372.10
Description: Failed to have previous TRI reports were found to not have documented the release quantities necessary to justify the use of Form A.
Viol. Classification: Minor
Citation: 40 CFR Chapter 372, SubChapter J, PT 372, SubPT B 372.30
Description: Failed to have data from 2009 and 2010 TRI reporting for K-Bin was improperly reported separately from Shintech.

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

Component Appendices

Appendix A

All NOVs Issued During Component Period 1/13/2009 and 1/13/2014

1	Date: 03/06/2009 (703591)	CN600128425	Classification: Moderate
	Self Report? NO	For Informational Purposes Only	
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(A) 5C THSC Chapter 382 382.085(b)	
	Description:	Failure to report start of construction or construction interruptions of Vinyl Chloride storage spheres. (CATEGORY B9 Violation)	
		Classification:	Moderate
	Self Report? NO	For Informational Purposes Only	
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) NSR SC 19 PERMIT O-01361 General Terms and Conditions OP O-01361, Special Terms and Conditions 10 OP	
	Description:	Failure to maintain the flow rate of scrubbers UN2703A, UN2703B and LV-5 during the compliance certification period 5/25/2007 through 5/24/2008. (Category C7 Violation)	
		Classification:	Moderate
	Self Report? NO	For Informational Purposes Only	
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) NSR SC 19 PERMIT O-01361 General Terms and Conditions OP O-01361 Special Terms and Conditions 10 OP	
	Description:	Failure to maintain the pH of scrubbers UN2703A and UN2703B during the certification period 5/25/2007 through 5/24/2008. (Category B3 Violation)	
		Classification:	Moderate
	Self Report? NO	For Informational Purposes Only	
	Citation:	30 TAC Chapter 115, SubChapter D 115.356(3)(A) 30 TAC Chapter 115, SubChapter D 115.356(3)(B) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) O-01361 General Terms and Conditions OP	
	Description:	Failure to create and maintain proper records to identify and justify unsafe to monitor components, difficult to monitor valves and pumps, unsafe to inspect flanges, and records of analysis and design capacity of process units located sitewide in Plants 1, 2, and 3. (Category B18 Violation)	
		Classification:	Moderate
	Self Report? NO	For Informational Purposes Only	
	Citation:	30 TAC Chapter 115, SubChapter B 115.144(3)(F) 5C THSC Chapter 382 382.085(b)	
	Description:	Failed to continuously monitor and record the condenser vapor outlet temperature of steam stripper equipment, as documented during a record review conducted on April 28, 2009. Specifically, condenser vapor outlet temperature for units PL1WWSTRIP, PL2WWSTRIP, and PL3WWSTRIP was not monitored from November 25, 2007 through May 24, 2008.	
		Classification:	Moderate
	Self Report? NO	For Informational Purposes Only	
	Citation:	30 TAC Chapter 117, SubChapter B 117.340(j) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) O-01361 General Terms and Conditions OP	
	Description:	Failure to maintain records of the stationary internal engines dated 5/25/2007 through 1/8/2008. (Category B3 Violation)	
2	Date: 07/01/2009 (744105)	CN600128425	Classification: Moderate
	Self Report? NO	For Informational Purposes Only	
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c)	

30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
NSR SC 19 PERMIT
O-01361 General Terms and Conditions OP
O-01361, Special Terms and Conditions 10 OP
Description: Failure to maintain the flow rate of scrubbers UN2703A, UN2703B and LV-5 during the compliance certification period 5/25/2007 through 5/24/2008. (Category C7 Violation)

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter D 115.356(3)(A)
30 TAC Chapter 115, SubChapter D 115.356(3)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Description: O-01361 General Terms and Conditions OP
Failure to create and maintain proper records to identify and justify unsafe to monitor components, difficult to monitor valves and pumps, unsafe to inspect flanges, and records of analysis and design capacity of process units located sitewide in Plants 1, 2, and 3. (Category B18 Violation)

3

Date: 12/22/2009 (767414)

CN600128425

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
NSR SC 19 PERMIT
Special Terms and Conditions 10 OP

Description: Failure to continuously monitor the pH of the solution exiting the absorber of the incinerator (EPN: UN2703A) from 2/22/09 at 8:45 p.m. to 2/23/09 at 6:45 p.m., which constitutes a violation of Permit 9347, Special Condition 19.

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)(ii)
5C THSC Chapter 382 382.085(b)

Description: Failure to maintain records of tank calculations on site.

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 17 PERMIT
STC 10 OP

Description: Failure to maintain the required minimum temperature in the combustion chamber of the incinerators (EPN: UN2703A and UN2703B).

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
STC 2F OP

Description: Shintech Incorporated failed to report an emission event to a local program (Brazoria County EHD). This constitutes a violation of 30 TAC 101.201(a)(1)(B).

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(F)(ii)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 4 PERMIT
STC 10 OP
STC 1A OP

Description: failure to properly perform quarterly visible emission monitoring for the third quarter of 2008. sources: TK-503 A, B, C, D, E; UN-752 A, B, D; and LV-5

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 117, SubChapter B 117.340(j)
30 TAC Chapter 122, SubChapter B 122.143(4)

Description: 5C THSC Chapter 382 382.085(b)
Shintech Incorporated failed to maintain records for three stationary internal engines from 11/25/08 to 5/24/09. Shintech did not have run-time meters installed on Generator 801, Pump P-610, and Pump P-2610 in order to record and maintain hours of operation. This constitutes a violation of 30 TAC 117.340(j)
Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Part 61, Subpart F 61.70(a)(1)
5C THSC Chapter 382 382.085(b)
SC 4 PERMIT
STC 10 OP
STC 1A OP

Description: Shintech Incorporated failed to report a leaking component on a quarterly report for the second quarter of 2009. This constitutes a violation of Permit 9347, Special Condition 4.

4 Date: 03/23/2010 (788758) CN600128425

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to maintain documentation regarding compliance with permit sampling requirements.

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 319, SubChapter A 319.7(a)
30 TAC Chapter 319, SubChapter A 319.7(c)

Description: Failure to adequately calibrate the pH meter each day that samples are analyzed.

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
M.&R.R., pg. 5, No. 5 PERMIT

Description: Failure to calibrate the flow meter annually.

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 319, SubChapter A 319.7(a)
30 TAC Chapter 319, SubChapter A 319.7(c)

Description: Failure to provide a National Institute of Standards and Technology (NIST) traceable thermometer in the sample storage refrigerator and composite samplers that had been calibrated within the last year.

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
M.&R.R., pg. 5, No. 7c PERMIT

Description: Failure to consistently provide effluent violation notification letters in accordance with the permit requirements and applicable State regulations.

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
E.L.&M.R., pg. 2d&2g, No. 1 PERMIT

Description: Failure to maintain compliance with permit limits for chemical oxygen demand and biochemical oxygen demand.

5 Date: 11/23/2010 (858051) CN600128425

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition No. 19 PERMIT
Special Terms and Condition Nos. 1A & 10 OP

Description: Failure to maintain the pH of the solution exiting the absorbers above 8.0 on

September 19, 2009, November 16, 18, and 19, 2009, February 23, 2010, March 7, 2010, four incidents on April 19, 2010, and April 20, 2010. (Category C4 Violation)

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition No. 19 PERMIT
Special Terms and Condition No. 1A & 10 OP

Description: Failure to maintain the scrubber flow rate above 26 gallons per minute on July 17, 2009, October 3, 2009 and December 8, 2009. See Violation Track Number 413706 for details. (Category C4 Violation)

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 117, SubChapter B 117.340(j)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Terms and Condition No 1A OP

Description: Failure to maintain records of the run times for Plant 1 Generator 801 (D-801) on May 25, 2009. (Category C3 Violation)

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition No. 22 PERMIT
Special Terms and Condition Nos. 1A & 10 OP

Description: Failure to maintain the hourly average concentration of the stripper slurry on May 2, 2010. (Category C3 Violation)

6 Date: 12/31/2010 (1064122) CN600128425

Classification: Moderate

Self Report? YES

For Informational Purposes Only

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

7 Date: 01/31/2011 (1064099) CN600128425

Classification: Moderate

Self Report? YES

For Informational Purposes Only

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

8 Date: 02/23/2011 (899518) CN600128425

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)

Description: Failure to properly maintain the regulated entity by not removing the water hose from the distribution line near the 315 gallon pressure tank.

9 Date: 02/28/2011 (1064101) CN600128425

Classification: Moderate

Self Report? YES

For Informational Purposes Only

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

10 Date: 03/31/2011 (1064103) CN600128425

Classification: Moderate

Self Report? YES

For Informational Purposes Only

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)

- 30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
- 11 Date: 10/31/2011 (1064117) CN600128425
Classification: Moderate
Self Report? YES For Informational Purposes Only
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
- 12 Date: 11/30/2011 (1064120) CN600128425
Classification: Moderate
Self Report? YES For Informational Purposes Only
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
- 13 Date: 12/31/2011 (1064123) CN600128425
Classification: Moderate
Self Report? YES For Informational Purposes Only
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
- 14 Date: 02/29/2012 (1064102) CN600128425
Classification: Moderate
Self Report? YES For Informational Purposes Only
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
- 15 Date: 06/06/2012 (997302) CN600128425
Classification: Moderate
Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
E.L.&M.R., pg.2,2(a)&2(b),No.1 PERMIT
E.L.&M.R.,pg.2(d),2(e)&2(f),No.1 PERMIT
E.L.&M.R.,pg.2(g),No.1 PERMIT
Description: Failed to maintain compliance with the permitted effluent limits.
- 16 Date: 07/31/2012 (1064112) CN600128425
Classification: Moderate
Self Report? YES For Informational Purposes Only
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
- 17 Date: 08/21/2012 (952198) CN600128425
Classification: Moderate
Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 19 PERMIT
Special Term and Condition 10 OP
Description: Failure to continuously monitor and maintain the minimum pH level of the solution exiting the absorbers (EPNs: LV-5, UN-2703A, and UN-3703B) (Category B19.g.1)
Classification: Moderate
Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)
Special Condition 17 PERMIT
Special Term and Condition 10 OP

Description: Failure to continuously monitor and record the temperature in the combustion chamber of the incinerators (EPN: UN-2703A) (Category B19.g.1)
Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP

Description: Failure to report all instances of deviations within the required timeframe (Category B3)
Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 10 PERMIT
Special Term and Condition 10 OP

Description: Failure to maintain records of hourly fuel usage for the boilers (Category B3 Violation)
Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 117, SubChapter B 117.354(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1 OP

Description: Failure to maintain a final control plan for attainment demonstration with NOx emission specifications (Category B3 Violation)
Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 2F OP

Description: Failure to maintain a final record for a non-reportable emission event (Category B3 Violation)
Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT F 61.71(a)(1)
5C THSC Chapter 382 382.085
Special Condition 4 PERMIT
Special Terms and Conditions 1 and 10 OP

Description: Failure to maintain a record of fugitive leak detection times (Category C3)
Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT F 61.71(a)(2)
5C THSC Chapter 382 382.085(b)
Special Condition 4 PERMIT
Special Terms and Conditions 1 and 10 OP

Description: Failure to submit complete NESHAP Quarterly Leak Check Summaries (Category C3)
Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 11 PERMIT
Special Term and Condition 10 OP

Description: Failure to identify and mark all equipment that has the potential of emitting air contaminants (Category B19.g.1)
Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 117, SubChapter B 117.310(f)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 OP
Description: Failure to meet the operating restrictions from 6:00 am to noon for all engines
(Category B19.g.1)

Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(f)
5C THSC Chapter 382 382.085(b)
Special Condition 5 PERMIT
Special Terms and Conditions 7 and 10 OP
Description: Failure to maintain records showing compliance with NSPS emission standards
(Category B3)

Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 117, SubChapter B 117.345(f)(10)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1 OP
Description: Failure to maintain records of annual operating hours for all engines (Category
B3)

Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 27G PERMIT
Special Term and Condition 10 OP
Description: Failure to maintain and submit instances of monitor downtime for the vinyl
chloride incinerator (Category B3)

18 Date: 08/31/2012 (1064114) CN600128425

Classification: Moderate

Self Report? YES For Informational Purposes Only
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

19* Date: 10/31/2012 (1064118) CN600128425

Classification: Moderate

Self Report? YES For Informational Purposes Only
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

20* Date: 12/04/2012 (1044086) CN600128425

Classification: Minor

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Description: Shintech failed to properly maintenance the double dampers for C Dryer(
DR-2401C), resulting in an excess opacity of 75 % opacity for a duration of 1
hours, and 20 minutes.

21* Date: 02/28/2013 (1029215) CN600128425

Classification: Minor

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(B)

5C THSC Chapter 382 382.085(b)
 General Terms & Conditions OP
 Description: Failure to report deviations within the required timeframe. (Category C.3)
 Classification: Moderate
 Self Report? NO For Informational Purposes Only
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 Special Condition 24 F PERMIT
 Description: Failure to perform annual compliance testing. (Category B.1)
 Classification: Minor
 Self Report? NO For Informational Purposes Only
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 11 F PERMIT
 Special Terms & Conditions 10 OP
 Description: Failure to complete semi-annual fugitive emissions monitoring. (Category C.1)
 Classification: Moderate
 Self Report? NO For Informational Purposes Only
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 29 PERMIT
 Special Terms & Conditions 10 OP
 Description: Failure to maintain records of maintenance, startup, and shutdown (MSS) activities. (Category C.3)
 Classification: Minor
 Self Report? NO For Informational Purposes Only
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 18 PERMIT
 Special Terms & Conditions 10 OP
 Description: Failure to calibrate absorber flow monitoring devices on an annual basis. (Category C.1)
 Classification: Moderate
 Self Report? NO For Informational Purposes Only
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1 PERMIT
 Special Terms & Conditions 10 OP
 Description: Failure to limit particulate matter (PM) emissions rate to permitted limits. (Category B.13)
 Classification: Minor
 Self Report? NO For Informational Purposes Only
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Terms & Conditions 3 OP
 Description: Failure to perform visible emissions observations. (Category C1)
 Classification: Minor
 Self Report? NO For Informational Purposes Only
 Citation: 30 TAC Chapter 115, SubChapter B 115.144(3)(F)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Terms & Conditions 5 OP
 Description: Failure to monitor and record operating parameters of wastewater treatment system. (Category C1)
 Classification: Moderate
 Self Report? NO For Informational Purposes Only
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition (SC) 18 PERMIT

Special Terms & Conditions (ST&C) 10 OP
Description: Failure to maintain minimum solution flow rate in scrubber. (Category B.13)

22* Date: 03/19/2013 (1054048) Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Special Condition #1 PERMIT
Description: Failure to prevent unauthorized emissions due to plugging of one double damper.
Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 101, SubChapter F 101.201(c)
5C THSC Chapter 382 382.085(b)
Description: Failure to submit the final report.

23* Date: 05/03/2013 (1074588) CN600128425 Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Special Condition No. 1 PERMIT
Description: Failure to prevent unauthorized emissions. Shintech failed to securely fasten the bolts holding the rupture disc on Tank TK-3251F.

24* Date: 06/04/2013 (1139369) CN600128425 Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)
Description: TTHM MCL 2Q2013 - The system violated the maximum contaminant level for trihalomethanes during the 2nd quarter of 2013 with a RAA of 0.090 mg/L.

25* Date: 06/25/2013 (1139369) CN600128425 Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)
Description: TTHM MCL 1Q2013 - The system violated the maximum contaminant level for trihalomethanes during the 1st quarter of 2013 with a RAA of 0.089 mg/L.

26 Date: 10/07/2013 (1139369) CN600128425 Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)
Description: TTHM MCL 3Q2013 - The system violated the maximum contaminant level for trihalomethanes during the 3rd quarter of 2013 with a RAA of 0.098 mg/L.

27 Date: 11/22/2013 (1115982) CN600128425 Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Special Terms and Conditions 10 OP
Description: Failure to limit particulate matter (PM) emissions rate to permitted limits.
(Category B13)
Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: General Terms and Conditions OP
Description: Failure to report all instances of deviations within the required timeframe.
(Category B3)
Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Part 61, Subpart F 61.65(b)(8)(i)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1A OP
Description: Failure to maintain an up-to-date area wide monitoring plan. (Category B3)
Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-7(g)(2)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions 1A OP
Description: The owner or operator failed to have an unsafe-to-monitor written plan for Plant 1. (Category B3)
Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-7(h)(3)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions 1A OP
Description: The owner or operator failed to have a written difficult-to-monitor plan for Plant 1. (Category B3)
Classification: Minor

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT F 61.71(a)(2)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions 1A OP
Description: Failure to record the time when the leak was detected. (Category C1)
Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 26E PERMIT
Special Terms and Conditions 10 OP
Description: Failure to reduce emissions data to three-hour average concentrations. (Category B1)
Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 9 PERMIT
Special Terms and Conditions 10 OP
Description: Failure to maintain hourly fuel usage records for boiler UN3701A, 3701B, and 3701C. (Category B3)
Classification: Minor

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 21 PERMIT
Special Terms and Conditions 10 OP
Description: Failure to collect the required residual vinyl chloride monomer (RVCM) samples. (Category C1)
Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT F 61.70(c)(2)(v)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions 1A OP
Description: Failure to calculate and maintain 24-hour weighted average residual vinyl chloride monomer (RVCM) concentrations. (Category B1)
Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Special Terms and Conditions 10 OP

Description: Failure to provide emission limits for chlorine for Plant 2 incinerators UN2703A and UN2703B in the NSR permit maximum allowable emission rates (MAER). (Category B13)

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 21 PERMIT
Special Terms and Conditions 10 OP

Description: Failure to collect residual vinyl chloride monomer (RVCM) sample for stripper CL-2451C. (Category C1)

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 26 PERMIT
Special Terms and Conditions 10 OP

Description: Failure to continuously monitor the vinyl chloride system. (Category C3)

* NOVs applicable for the Compliance History rating period 9/1/2008 to 8/31/2013

Appendix B

All Investigations Conducted During Component Period January 13, 2009 and January 13, 2014

Item 1	March 06, 2009**	(703591) For Informational Purposes Only
Item 2	May 14, 2009**	(744763) For Informational Purposes Only
Item 3	July 01, 2009**	(744105) For Informational Purposes Only
Item 4	December 21, 2009**	(767414) For Informational Purposes Only
Item 5	March 23, 2010**	(788758) For Informational Purposes Only
Item 6	May 14, 2010**	(792607) For Informational Purposes Only
Item 7	June 30, 2010**	(792165) For Informational Purposes Only
Item 8	July 09, 2010**	(828535) For Informational Purposes Only
Item 9*	July 23, 2010**	(1064110) For Informational Purposes Only
Item 10*	September 09, 2010**	(829547) For Informational Purposes Only
		(858051)

Item 11	November 18, 2010**	For Informational Purposes Only (1064119)
Item 12*	December 13, 2010**	For Informational Purposes Only (1064122)
Item 13	January 18, 2011**	For Informational Purposes Only (878159)
Item 14*	February 01, 2011**	For Informational Purposes Only (1064099)
Item 15	February 24, 2011**	For Informational Purposes Only (899518)
Item 16	March 02, 2011**	For Informational Purposes Only (1064101)
Item 17	March 21, 2011**	For Informational Purposes Only (906241)
Item 18	March 24, 2011**	For Informational Purposes Only (859965)
Item 19*	March 30, 2011**	For Informational Purposes Only (1064103)
Item 20	April 19, 2011**	For Informational Purposes Only (914256)
Item 21	May 04, 2011**	For Informational Purposes Only (1064105)
Item 22*	May 20, 2011**	For Informational Purposes Only (1064107)
Item 23*	June 20, 2011**	For Informational Purposes Only (1064109)
Item 24*	July 19, 2011**	For Informational Purposes Only (1064111)
Item 25*	August 17, 2011**	For Informational Purposes Only (1064113)
Item 26*	September 19, 2011**	For Informational Purposes Only (1064115)
Item 27*	October 14, 2011**	For Informational Purposes Only (1064117)
Item 28	October 17, 2011**	For Informational Purposes Only (1064120)
Item 29	December 15, 2011**	For Informational Purposes Only (1064123)
Item 30	January 20, 2012**	For Informational Purposes Only (1064100)
Item 31*	February 15, 2012**	For Informational Purposes Only (1064102)

Item 32	March 19, 2012**	For Informational Purposes Only (1064104)
Item 33*	April 23, 2012**	For Informational Purposes Only (1064106)
Item 34*	May 21, 2012**	For Informational Purposes Only (997302)
Item 35	June 05, 2012**	For Informational Purposes Only (1064108)
Item 36*	June 21, 2012**	For Informational Purposes Only (1064112)
Item 37	August 20, 2012**	For Informational Purposes Only (1064114)
Item 38	September 20, 2012**	For Informational Purposes Only (1035718)
Item 39	October 02, 2012**	For Informational Purposes Only (1064116)
Item 40*	October 22, 2012**	For Informational Purposes Only (1064118)
Item 41	November 19, 2012**	For Informational Purposes Only (1044086)
Item 42	December 03, 2012**	For Informational Purposes Only (1049716)
Item 43	December 10, 2012**	For Informational Purposes Only (1064121)
Item 44*	December 21, 2012**	For Informational Purposes Only (1080336)
Item 45*	January 22, 2013**	For Informational Purposes Only (1055241)
Item 46*	January 28, 2013**	For Informational Purposes Only (1080335)
Item 47*	February 19, 2013**	For Informational Purposes Only (1029215)
Item 48	February 28, 2013**	For Informational Purposes Only (1089960)
Item 49*	March 18, 2013**	For Informational Purposes Only (1054048)
Item 50	March 19, 2013**	For Informational Purposes Only (1096349)
Item 51*	April 22, 2013**	For Informational Purposes Only (1074588)
Item 52	May 03, 2013**	For Informational Purposes Only

Item 53	May 16, 2013**	(1092485) For Informational Purposes Only
Item 54*	May 20, 2013**	(1107299) For Informational Purposes Only
Item 55*	June 14, 2013**	(1110961) For Informational Purposes Only
Item 56	June 19, 2013**	(1099870) For Informational Purposes Only
Item 57	June 20, 2013**	(1098968) For Informational Purposes Only
Item 58*	July 19, 2013**	(1117833) For Informational Purposes Only
Item 59*	August 20, 2013**	(1125620) For Informational Purposes Only
Item 60*	September 18, 2013	(1130185) For Informational Purposes Only
Item 61	September 23, 2013	(1116672) For Informational Purposes Only
Item 62*	October 18, 2013	(1135944) For Informational Purposes Only
Item 63*	November 21, 2013	(1141333) For Informational Purposes Only
Item 64	November 22, 2013	(1115982) For Informational Purposes Only
Item 65*	December 04, 2013	(1124683) For Informational Purposes Only
Item 66	December 20, 2013	(1139369) For Informational Purposes Only
Item 67	January 10, 2014	(1139592) For Informational Purposes Only

* No violations documented during this investigation

**Investigation applicable for the Compliance History Rating period between 09/01/2008 and 08/31/2013.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
SHINTECH INCORPORATED
RN100213198

§
§
§
§
§

BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2014-0089-PWS-E

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding SHINTECH INCORPORATED ("Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this agreement to the Commission.

The Respondent understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon the Respondent.

The Commission makes the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. The Respondent owns and operates a public water supply at 5618 East Highway 332 in Brazoria County, Texas (the "Facility") that has approximately six service connections and serves at least 25 people per day for at least 60 days per year.

2. During a record review conducted on October 14, 2013, TCEQ staff documented that the running annual average concentrations of total trihalomethanes ("TTHM") for the first, second and third quarters of 2013 were 0.089 milligrams per liter ("mg/L"), 0.090 mg/L and 0.098 mg/L, respectively.
3. The Respondent received notice of the violations on January 31, 2014.
4. The Executive Director recognizes that the Respondent transitioned from Stage 1 Disinfectant Byproduct monitoring to Stage 2 Disinfectant Byproduct monitoring on October 1, 2013.

II. CONCLUSIONS OF LAW

1. The Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 341 and the rules of the Commission.
2. As evidenced by Findings of Fact No. 2, the Respondent failed to comply with the maximum contaminant level ("MCL") of 0.080 mg/L for TTHM, based on the running annual average, in violation of 30 TEX. ADMIN. CODE § 290.113(f)(4) and TEX. HEALTH & SAFETY CODE § 341.0315(c).
3. Pursuant to TEX. HEALTH & SAFETY CODE § 341.049, the Commission has the authority to assess an administrative penalty against the Respondent for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
4. An administrative penalty in the amount of Two Hundred Fifty-Three Dollars (\$253) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. HEALTH & SAFETY CODE § 341.049(b). The Respondent has paid the Two Hundred Fifty-Three Dollar (\$253) administrative penalty.

III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed an administrative penalty in the amount of Two Hundred Fifty-Three Dollars (\$253) as set forth in Section II, Paragraph 4 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty

payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: SHINTECH INCORPORATED, Docket No. 2014-0089-PWS-E" to:

Financial Administration Division, Revenue Operations Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. The Respondent shall undertake the following technical requirements:

- a. Within 365 days after the effective date of this Agreed Order:
 - i. Return to compliance with the running annual average MCL for TTHM, in accordance with 30 TEX. ADMIN. CODE § 290.113; or
 - ii. Return to compliance with the locational running annual average MCL for TTHM, in accordance with 30 TEX. ADMIN. CODE § 290.115.
- b. Within 380 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.a.i. or 2.a.ii. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Public Drinking Water Section Manager
Water Supply Division, MC 155
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
4. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
5. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
6. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
7. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
8. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any

other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.

9. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Pam Mori
For the Executive Director

6/4/14
Date

I, the undersigned, have read and understand the attached Agreed Order in the matter of SHINTECH INCORPORATED. I am authorized to agree to the attached Agreed Order on behalf of SHINTECH INCORPORATED, and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I understand that by entering into this Agreed Order, SHINTECH INCORPORATED waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

John Timothy O'Brien
Signature

3-10-14
Date

John Timothy O'Brien
Name (Printed or typed)
Authorized Representative of
SHINTECH INCORPORATED

Plant Manager
Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Section III, Paragraph 1 of this Agreed Order.